REMARKS/ARGUMENT

Claims 14-22 and 26-34 stand allowed.

Claims 2-8, 24 and 25 stand objected to as being dependent upon a base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. While Applicants appreciate the determination by the Examiner that Claims 2-8, 24 and 25 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, Applicants believe these claims are allowable in their present form since they depend from independent claims that are allowable over the cited references.

1) Claim 23 stands rejected under 35 U.S.C. 102(e) as being anticipated by Sprigg et al. (USP 6,453,182). Applicants respectfully traverse this rejection, as set forth below.

In order that the rejection of Claim 23 be sustainable, it is fundamental that "each and every element as set forth in the claim be found, either expressly or inherently described, in a single prior art reference." Verdegall Bros. v. Union Oil Co. of California, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). See also, Richardson v. Suzuki Motor Co., 9 USPQ2d 1913, 1920 (Fed. Cir. 1989), where the court states, "The identical invention must be shown in as complete detail as is contained in the ... claim".

Furthermore, "all words in a claim must be considered in judging the patentability of that claim against the prior art." In re Wilson, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970).

Independent Claim 23, requires and positively recites a method of controlling a transceiver section provided on a transceiver side of a portable wireless communication terminal that also includes a baseband side coupled to the transceiver side, comprising: "receiving on the transceiver side a signal from the baseband side requesting a desired transceiver operation" and "in response to said requesting signal from the baseband side, signaling at least a portion of the transceiver section to **enter a powered-up state thereof and a powered-down state thereof in a desired sequence, including generating on the transceiver side signaling that produces the desired power-up/power-down sequence without requiring further signaling from the baseband side**".

In contrast, the Sprigg teaches that its counter (204) is the device that wakes up processor (106). Counter (204) and processor (106) are both located on the baseband side of Sprigg's apparatus (col. 1, lines 48-54 & lines 59-63). Moreover, Sprigg is very specific that it is processor (106) that commands the power conservation mode (col. 2, lines 46-49) – including that it is processor (106) that determines from the clock-calendar that it is time to wake up the user (col. 3, lines 5-7). Accordingly, Sprigg's apparatus discloses a technique that allows its baseband side to trigger a power-up OR power-down state – but not both from the same signal. Further, Sprigg fails to teach or suggest generating on the transceiver side signaling that produces desired power-up/power-down sequence WITHOUT requiring further signal from the baseband side. As a result, Sprigg fails to teach or suggest, "in response to said requesting signal from the baseband side, signaling at least a portion of the transceiver section to **enter a powered-up state thereof and a powered-down state thereof in a desired sequence, including generating on the transceiver side signaling that produces the desired power-up/power-down sequence without requiring further signaling from the baseband side**". The 35 U.S.C. 102(e) rejection is overcome.

2) Claims 1 and 9-13 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Sprigg et al (US 6,453,182) in view of Kohlschmidt (US 6,029,061). Applicants respectfully traverse this rejection as follows:

In proceedings before the Patent and Trademark Office, "the Examiner bears the burden of establishing a prima facie case of obviousness based upon the prior art". In re Fritch, 23 USPQ2d 1780, 1783 (Fed. Cir. 1992) (citing In re Piasecki, 745 F.2d 1468, 1471-72, 223 USPQ 785, 787-88 (Fed. Cir. 1984). "The Examiner can satisfy this burden **only by showing some objective teaching in the prior art or that knowledge generally available to one of ordinary skill in the art would lead that individual to combine the relevant teachings of the references**", In re Fritch, 23 USPQ2d 1780, 1783 (Fed. Cir. 1992)(citing In re Fine, 837 F.2d 1071, 1074, 5 USPQ2d 1596, 1598 (Fed. Cir. 1988)(citing In re Lalu, 747 F.2d 703, 705, 223 USPQ 1257, 1258 (Fed. Cir. 1988)).

Independent Claim 1, requires and positively recites, a transceiver apparatus for use in a portable wireless communication terminal, comprising: "a transceiver section for supporting wireless communication operations of the portable wireless communication terminal, including an input to which at least a portion of said transceiver section is responsive for entering either of a powered-down state and a powered-up state" and "a timing sequencer coupled to said input for signaling said transceiver section **to enter said powered-up and powered-down states in a desired sequence to perform a desired operation**, said timing sequencer including an input for receiving from a baseband processor a signal requesting the desired operation, said timing sequencer responsive to the baseband processor signal for signaling said desired power-up/power-down sequence to said transceiver section **without requiring further signaling from the baseband processor**".

In contrast, the Sprigg teaches that its counter (204) is the device that wakes up processor (106). Counter (204) and processor (106) are both located on the baseband side of Sprigg's apparatus (col. 1, lines 48-54 & lines 59-63). Moreover, Sprigg is very specific that it is processor (106) that commands the power conservation mode (col. 2, lines 46-49) – including that it is processor (106) that determines from the clock-calendar that it is time to wake up the user (col. 3, lines 5-7). Accordingly, Sprigg's apparatus discloses a technique that allows its baseband side to trigger a power-up OR power-down state – but not both from the same signal. Further, Sprigg fails to teach or suggest generating on the transceiver side signaling that produces desired power-up/power-down sequence WITHOUT requiring further signal from the baseband side.

Even if, arguendo, Kohlshmidt discloses a timing sequencer 103 coupled to input of 106 for signaling said transceiver section to enter said power-down (col. 7, lines 39-42) and power-up (not disclosed), Kohlshmidt fails to teach or suggest the previously described deficiencies of the Sprigg. Accordingly, any combination of Sprigg and Kohlshmidt fails to teach or suggest, "a timing sequencer coupled to said input for signaling said transceiver section **to enter said powered-up and powered-down states in a desired sequence to perform a desired operation**, said timing sequencer including an input for receiving from a baseband processor a signal requesting the desired operation, said timing sequencer responsive to the baseband processor signal for signaling said desired power-up/power-down sequence to said transceiver section **without requiring further signaling from the baseband processor**", as required by Claim 1. Accordingly, the 35 U.S.C. 103(a) rejection of Claim 1 is overcome.

Although couched in terms of combining teachings found in the prior art, the same inquiry must be carried out in the context of a purported obvious "modification" of the prior art. **The mere fact that the prior art may be modified in the manner suggested by the Examiner does not make the modification obvious unless the prior art suggested the desirability of the modification.** In re Gordon, 733 F.2d at 902, 221 USPQ at 1127.

Moreover, **it is impermissible to use the claimed invention as an instruction manual or "template" to piece together the teachings of the prior art so that the claimed invention is rendered obvious.** In re Gorman, 933 F.2d 982, 987, 18 USPQ2d 1885, 1888 (Fed.Cir.1991). See also Interconnect Planning Corp. v. Feil, 774 F.2d 1132, 1138, 227 USPQ 543, 547 (Fed.Cir.1985).

Claims 9-13 stand allowable as depending (directly or indirectly) from allowable Claim 1 and including further limitations not taught or suggested by the references of record.

Claim 9 further defines the apparatus of Claim 1, by further including a selection apparatus coupled between said timing sequencer and said transceiver section input for selecting one of said timing sequencer and the baseband processor for connection to said transceiver section input. The Sprigg and Kohlschmidt references fail to teach or suggest this teaching in combination with the previously discussed limitations of Claim 1.

Claim 10 further defines the apparatus of Claim 9, by further including a serial programming interface coupled to said selection apparatus for permitting the baseband processor to program the desired selection into said selection apparatus. The Sprigg and Kohlschmidt references fail to teach or suggest this teaching in combination with the previously discussed limitations of Claim 9.

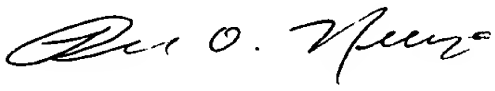
Claim 11 further defines the apparatus of Claim 1, wherein said timing sequencer includes a programmable state machine. The Sprigg and Kohlschmidt references fail to teach or suggest this teaching in combination with the previously discussed limitations of Claim 1.

Claim 12 further defines the apparatus of Claim 11, by further including a serial programming interface coupled to said programmable state machine for permitting the baseband processor to program said programmable state machine. The Sprigg and Kohlschmidt references fail to teach or suggest this teaching in combination with the previously discussed limitations of Claim 11.

Claim 13 further defines the apparatus of Claim 1, provided on a single integrated circuit. The Sprigg and Kohlschmidt references fail to teach or suggest this teaching in combination with the previously discussed limitations of Claim 1.

Claims 14-22 and 26-34 stand allowed. Claims 31 and 32 have been amended to overcome the informalities identified by the Examiner. Applicants believe objected to Claims 2-8, 24 and 25 are allowable in their current form. Rejected claims 1, 9-13 and 23 are allowable over the cited art for the reasons set forth in the above argument. New Claims 35-40 stand allowable for the same reasons set forth above in support of Claims 1, 14 and 23. Applicants respectfully request allowance of the application as the earliest possible date.

Respectfully submitted,



Texas Instruments Incorporated
P. O. Box 655474, M/S 3999
Dallas, Texas 75265
Phone: 972/917-5299
Fax: 972/917-4418

Ronald O. Neerings
Reg. No. 34,227
Attorney for Applicants